

**CITY OF POMPANO BEACH
CITY COMMISSION MEETING
AGENDA NO. 2016-21
TUESDAY, JULY 12, 2016
6:00 P.M.**

CALL TO ORDER

The Honorable Lamar Fisher
Mayor, Presiding

ROLL CALL

Asceleta Hammond, CMC,
City Clerk

INVOCATION

Apostle S. Constancia Daley
Rhema Word Ministries International

PLEDGE OF ALLEGIANCE

Led by Asceleta Hammond, CMC
City Clerk

APPROVAL OF MINUTES

City Commission meeting minutes of
June 28, 2016

APPROVAL OF THE AGENDA

CONSENT AGENDA DISCUSSION

The Commission may pull items from the Consent Agenda. During Audience to be Heard, a person may speak on any item on the Consent Agenda, which has not been pulled.

AUDIENCE TO BE HEARD

All persons interested in speaking during “Audience To Be Heard” must fill out a request form and **turn it in to the City Clerk prior to the meeting.** A request form is located on the last page of the agenda program.

CONSENT AGENDA

1. **RES. NO. 2016-.....:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING AN EXPENDITURE FROM THE CITY OF POMPANO BEACH LAW ENFORCEMENT TRUST FUND (LETF) FOR IMPLEMENTATION OF A BODY WORN CAMERA PROGRAM; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: \$138,000 from Law Enforcement Trust Fund)

(Staff Contact: Brian Donovan)

2. **RES. NO. 2016-.....:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND ADOPTING THE SECOND AMENDED AND RESTATED INTERLOCAL AGREEMENT EXECUTED BY THE TOWNS OF LANTANA AND MANGONIA PARK WHICH FURTHER UPDATES THE BOARD OF SUPERVISORS' STRUCTURE FOR THE FLORIDA GREEN FINANCE AUTHORITY; PROVIDES FOR MORE FLEXIBILITY IN OBTAINING A QUORUM OF THE BOARD; CHANGES THE PROGRAM NAME; PROVIDING AN EFFECTIVE DATE. (No fiscal impact)

(Staff Contact: Greg Harrison)

3. **RES. NO. 2016-.....:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, TERMINATING A SUBRECIPIENT AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND MOTIVATED UNIFIED SOUND IMPACTING COMMUNITIES, INC. WHICH PROVIDED FOR THE FUNDING AND ADMINISTRATION OF COMMUNITY DEVELOPMENT BLOCK GRANT PROJECTS; PROVIDING AN EFFECTIVE DATE (Fiscal impact: \$5,000 in CDBG funds)

(Staff Contact: Mark Korman/Miriam Carrillo)

CONSENT AGENDA

4. **RES. NO. 2016-.....:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A THIRD AMENDMENT TO CONTRACT BETWEEN THE CITY OF POMPANO BEACH AND FLORIDA HOUSING FINANCE CORPORATION FOR HHF ADVISOR SERVICES FOR THE HFA HARDEST HIT FUND UNEMPLOYMENT MORTGAGE ASSISTANCE PROGRAM AND MORTGAGE LOAN REINSTATEMENT PROGRAM; PROVIDING AN EFFECTIVE DATE. (No fiscal impact)

(Staff Contact: Miriam Carrillo/Mark Korman)

5. **RES. NO. 2016-.....:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, TERMINATING A SUBRECIPIENT AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND FEEDING SOUTH FLORIDA, INC. WHICH PROVIDED FOR THE FUNDING AND ADMINISTRATION OF COMMUNITY DEVELOPMENT BLOCK GRANT PROJECTS; PROVIDING AN EFFECTIVE DATE. (CDBG funds in the amount of \$5,000)

(Staff Contact: Mark Korman/Miriam Carrillo)

6. **RES. NO. 2016-.....:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A FIRST AMENDMENT TO THE HOMEOWNERSHIP DEVELOPMENT AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND HABITAT FOR HUMANITY OF BROWARD, INC.; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: HOME funds in the amount of \$50,000 – previously approved)

(Staff Contact: Mark Korman/Miriam Carrillo)

7. **RES. NO. 2016-.....:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A PUBLIC FACILITY AND INFRASTRUCTURE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND ETA NU EDUCATION FOUNDATION, INC. PROVIDING FOR THE FUNDING AND ADMINISTRATION OF COMMUNITY DEVELOPMENT BLOCK GRANT PROJECTS; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: CDBG funds in the amount of \$19,198)

(Staff Contact: Mark Korman/Miriam Carrillo)

CONSENT AGENDA

8. Approval of the FY2016-2017 Annual Action Plan in the amount of \$916,484 of CDBG funds and \$303,648 of HOME funds for a total of \$1,249,330. In addition, a portion of FY2015 CDBG funds for which the City of Weston, Florida did not apply have been reallocated by HUD to the City of Pompano Beach. Those funds total \$20,183 and total reprogramming Contingency funds from program income in the amount of \$29,198.

(Staff Contact: Miriam Carrillo/Mark Korman)

9. **RES. NO. 2016-.....:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE WORK AUTHORIZATION NO. 1 IN THE AMOUNT OF \$98,299.00 PURSUANT TO THE AGREEMENT FOR CONSULTING/PROFESSIONAL SERVICES BETWEEN THE CITY OF POMPANO BEACH AND MWH AMERICAS, INC., TO VERIFY THE INTEGRITY OF THE DEEP INJECTION WELL; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: A. Randolph Brown/Phil Hyer)



10. **RES. NO. 2016-.....:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND BOUCHER BROTHERS MANAGEMENT, INC. TO PROVIDE BEACH CONCESSION SERVICES ON THE MUNICIPAL BEACH; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: Licensee will pay the City a guaranteed annual rate starting at \$60,000, which increases over the term of the contract)

(Staff Contact: Mark Beaudreau)

11. **RES. NO. 2016-.....:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN ASSIGNMENT AND ASSUMPTION AGREEMENT BETWEEN THE CITY OF POMPANO BEACH, BOUCHER BROTHERS MANAGEMENT, INC. AND BOUCHER BROTHERS POMPANO BEACH, LLC; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: The City will be paid a guaranteed annual rate of \$60,000 the first year, which increases over the term of the contract)

(Staff Contact: Mark Beaudreau)

CONSENT AGENDA

12. **RES. NO. 2016-.....:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A LITTER REMOVAL AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND BROWARD OUTPATIENT MEDICAL CENTER, LLC., PURSUANT TO THE CITY'S ADOPT-A-STREET PROGRAM; PROVIDING AN EFFECTIVE DATE. (No fiscal impact)

(Staff Contact: Robert A. McCaughan/Russell Ketchem)

13. **RES. NO. 2016-.....:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A QUIT CLAIM DEED FOR RIGHT-OF-WAY EXTENDING NE 47TH STREET; PROVIDING AN EFFECTIVE DATE. (No fiscal impact)

(Staff Contact: Robin M. Bird/Jae Eun Kim)

14. **RES. NO. 2016-.....:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ACCEPTING CONVEYANCE OF REAL PROPERTY FROM THE CITY OF POMPANO BEACH TO THE CITY OF POMPANO BEACH FOR RIGHT-OF-WAY PURPOSES; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Robin M. Bird/Jae Eun Kim)

15. **RES. NO. 2016-.....:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A DECLARATION OF UNITY OF TITLE; PROVIDING AN EFFECTIVE DATE. (No fiscal impact)

(Staff Contact: Robin M. Bird/Jae Eun Kim)

16. Approval to award Bid #E-35-16, Installation of Golf Course Parking Lot Lighting (Rebid) to the sole responsive, responsible bidder, J & T Electrical Services, Inc., in the amount of \$75,010.00.

(Staff Contact: Robert A. McCaughan)

CONSENT AGENDA

17. **RES. NO. 2016-.....:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ACCEPTING CONVEYANCE OF REAL PROPERTY FROM THE POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY TO THE CITY OF POMPANO BEACH; PROVIDING AN EFFECTIVE DATE. (No fiscal impact)

(Staff Contact: Bradley Wolak/Horacio Danovich)



18. Approval to purchase two (2) 2016 Ford F-150 trucks for the Solid Waste and Recycling Division per the Florida Sheriffs' Association Contract 15-23-0904 from Alan Jay Ford, in the total amount of \$47,228.50.

(Staff Contact: Robert A. McCaughan)

19. **RES. NO. 2016-.....:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A CONTRACT FOR PROFESSIONAL CONSULTING SERVICES BETWEEN THE CITY OF POMPANO BEACH AND MATHEWS CONSULTING, INC. FOR SINGLE PROJECT CONTRACT FOR ENGINEERING SERVICES FOR GATEWAY DRIVE STORMWATER IMPROVEMENTS; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: \$194,360)

(Staff Contact: A. Randolph Brown/Alessandra Delfico)



20. Approval to award Bid #E-31-16, Sanitary Sewer Manhole Rehabilitation, Annual Contract to the lowest responsive, responsible bidder, Intercounty Engineering, Inc., in the amount of \$223,440 annually.

(Staff Contact: A. Randolph Brown)

REGULAR AGENDA

QUASI-JUDICIAL PROCEEDING

21. **P.H. 2016-77; ORD. NO. 2016-....: (PUBLIC HEARING 1ST READING)**
AN ORDINANCE OF THE CITY OF POMPANO BEACH, FLORIDA, ABANDONING TWO UTILITY EASEMENTS LYING ON A PARCEL LOCATED ALONG DR. MARTIN LUTHER KING, JR. BOULEVARD EAST OF NW 6TH AVENUE AND SOUTH OF NW 4TH STREET; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Maggie Barszewski/Robin M. Bird)

22. **P.H. 2016-78; ORD. NO. 2016-....: (PUBLIC HEARING 1ST READING)**
AN ORDINANCE OF THE CITY OF POMPANO BEACH, FLORIDA, ABANDONING A TWELVE FOOT UTILITY EASEMENT LYING EAST OF NORTHWEST 31ST AVENUE AND NORTH OF NW 8TH STREET ALONG THE SOUTHERN PERIMETER OF THE FLOWERS DISTRIBUTION CENTER PLAT, TRACT "A", AND COMMONLY KNOWN AS 930 NW 31ST AVENUE; PROVIDING FOR SEVERABILITY, PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Maggie Barszewski/Robin M. Bird)

23. **RES. NO. 2016-.....: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING CITY STAFF'S LETTER OF NO OBJECTION TO AMENDMENT OF NOTATION ON THE OCEAN LAND POMPANO BEACH RESORT PLAT; PROVIDING AN EFFECTIVE DATE.**

(Staff Contact: Maggie Barszewski/Robin M. Bird)

24. **RES. NO. 2016-.....: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING THE CMC OF COPANS ROAD PLAT LOCATED ON A PARCEL OF LAND LYING NORTH OF COPANS ROAD AND EAST OF NORTHEAST THIRD AVENUE; PROVIDING AN EFFECTIVE DATE.**

(Staff Contact: Maggie Barszewski/Robin M. Bird)

END OF QUASI-JUDICIAL PROCEEDING

REGULAR AGENDA - CONTINUED

25. **P.H. 2016-75; ORD. NO. 2016-....: (PUBLIC HEARING 1ST READING)**
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AGREEMENT FOR SCHOOL CROSSING GUARD SERVICES BETWEEN THE CITY OF POMPANO BEACH AND THE BUTLER GROUP OF SOUTH FLORIDA, LLC; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: \$571,725 from Other Professional Services account)

(Staff Contact: Mark Beaudreau)

26. **P.H. 2016-79; ORD. NO. 2016-....: (PUBLIC HEARING 1ST READING)**
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A FIRST AMENDMENT TO THE AGREEMENT FOR PARKING MANAGEMENT SERVICES BETWEEN THE CITY OF POMPANO BEACH AND DENISON PARKING, INC. TO EXTEND CURRENT SERVICES TO PROVIDE FOR MANAGEMENT OF THE PARKING GARAGE LOCATED AT 275 SEA BREEZE WAY; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: \$420.150)

(Staff Contact: Robert A. McCaughan/Suzette Sible)

27. **P.H. 2016-80; ORD. NO. 2016-....: (PUBLIC HEARING 1ST READING)**
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SECOND AMENDMENT TO THE AGREEMENT FOR UTILITY BILL PRINTING AND MAILING SERVICES BETWEEN THE CITY OF POMPANO BEACH AND MUNICIPAL CODE CORPORATION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Suzette Sible)

28. **P.H. 2016-81; ORD. NO. 2016-....: (PUBLIC HEARING 1ST READING)**
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A THIRD AMENDMENT TO THE AGREEMENT FOR CODE COMPLIANCE SERVICES BETWEEN THE CITY OF POMPANO BEACH AND CALVIN GIORDANO & ASSOCIATES, INC.; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Russell Ketchem/Robert A. McCaughan)

REGULAR AGENDA - CONTINUED

29. **P.H. 2016-82; ORD. NO. 2016-....: (PUBLIC HEARING 1ST READING)**
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AMENDED AND RESTATED SERVICE CONTRACT BETWEEN THE CITY OF POMPANO BEACH AND CRS MAX CONSULTANTS, INC.; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: \$23,000 – Funded as part of FY2016 Budget)

(Staff Contact: Paola A. West/Robin M. Bird)

30. **P.H. 2016-76; ORD. NO. 2016-....: (PUBLIC HEARING 1ST READING)**
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A CONSTRUCTION MANAGER-AT-RISK WITH A GMP CONTRACT BETWEEN THE CITY OF POMPANO BEACH AND THE WHITING-TURNER CONTRACTING COMPANY FOR SERVICES RELATING TO THE CONSTRUCTION OF THE CITY OF POMPANO BEACH FISHING PIER PROJECT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Horacio Danovich/Dennis W. Beach)

31. **RES. NO. 2016-.....:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE WORK AUTHORIZATION NO. 1 IN THE AMOUNT OF \$96,900.00 PURSUANT TO THE CONSTRUCTION MANAGER-AT-RISK CONTRACT BETWEEN THE CITY OF POMPANO BEACH AND THE WHITING-TURNER CONTRACTING COMPANY TO CONDUCT A PRE-CONSTRUCTION ANALYSIS FOR THE POMPANO BEACH FISHING PIER PROJECT; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Horacio Danovich/Dennis W. Beach)

REGULAR AGENDA - CONTINUED

32. **RES. NO. 2016-.....:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE POMPANO BEACH POLICE & FIREFIGHTERS' RETIREMENT SYSTEM OF THE CITY OF POMPANO BEACH FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON SEPTEMBER 12, 2019; PROVIDING AN EFFECTIVE DATE.

APPLICANTS:

Sharra Aaronian – Incumbent – District 5
Raymond Nies – District 1
Kenneth A. Campbell – District 3

(Staff Contact: Asceleta Hammond)



33. **RES. NO. 2016-.....:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE AIR PARK ADVISORY BOARD OF THE CITY OF POMPANO BEACH AS ALTERNATE 1 FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON JULY 1, 2019; PROVIDING AN EFFECTIVE DATE.

APPLICANTS:

James B. Morehead – Incumbent, Alternate #1 – District 3
Donald S. McNiel – Incumbent, Alternate #2 – District 1
W. P. Davis, Jr. – District 1
Richard Tobin – District 1
Charles H. Bechert, III – District 3
David Baumwald – District 4
Nancy Grant – District 5
David Miller – District 5
Ellen Scheffler – District 5

(Staff Contact: Asceleta Hammond)



REGULAR AGENDA - CONTINUED

- 34. **RES. NO. 2016-.....:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE AIR PARK ADVISORY BOARD OF THE CITY OF POMPANO BEACH AS ALTERNATE 2 FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON JULY 1, 2019; PROVIDING AN EFFECTIVE DATE.

PLEASE REFER TO PREVIOUS ITEM FOR APPLICANTS

(Staff Contact: Asceleta Hammond)



- 35. Acceptance of the City Manager’s Recommended Operating and Capital Budget books for Fiscal Year 2016-17 and approval of public hearing dates to adopt the FY 2016-17 Budget.

(Staff Contact: Brian Donovan)

REPORTS

- City Manager
- City Attorney
- City Clerk
- Internal Auditor
- City Commission

ADJOURNMENT

BALANCE IN CONTINGENCY

Oct. 1, 2015	Beginning Balance	\$ 10,000.00
June 11, 2016	Black on Black Crime Solutions Event	<u>- 500.00</u>
	Total:	\$ 9,500.00

